

**Burnet R. Maybank, III**  
Member  
Admitted in SC

November 12, 2009

**VIA ELECTRONIC FILING**

Public Service Commission of South Carolina  
Docketing Department  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

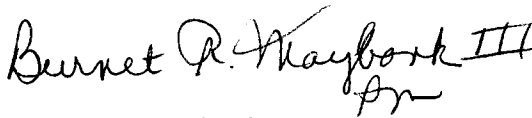
**Re: Docket Number 2009-326-C – State Universal Service Support of Basic  
Local Service Included in a Bundled Service Offering or Contract  
Offering**

Dear Ladies and Gentlemen:

Enclosed for filing please find an original and (1) one copy of Windstream Communications, Inc.'s Motion for Admission *Pro Hac Vice* of Bruce Hurlbut in connection with the above-referenced matter.

By copy of this letter, I am serving all parties of record with a copy of this Motion as indicated on the attached Certificate of Service.

Very truly yours,



Burnet R. Maybank, III

BRM/sjn

Enclosure

cc: Nanette S. Edwards, Esq. (Letter only Via E-Mail)  
All Parties of Record

STATE OF SOUTH CAROLINA

(Caption of Case)

State Universal Service Support of Basic Local  
Service Included In a Bundled Service Offering or  
Contract Offering

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2009 - 326 - C

(Please type or print)

Submitted by: Burnet R. Maybank III

Address: Nexsen Pruet, LLC

1230 Main Street, Suite 700

Columbia, SC 29201

SC Bar Number: 3699

Telephone: 803-771-8900

Fax: 803-253-8277

Other:

Email: bmaybank@nexsenpruet.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Cover Sheet
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

Docket No. 2009-326-C

<b>In Re:</b>	)	
	)	
<b>State Universal Service Support of Basic Local</b>	)	
<b>Service Included in a Bundled Service Offering</b>	)	Docket No. 2009-326-C
<b>or Contract Offering</b>	)	
	)	
	)	
	)	

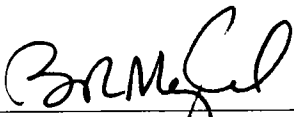
Windstream Communications, Inc. (“Windstream”) respectfully moves the Public Service Commission of South Carolina (the “Commission”) to permit Bruce Hurlbut to practice *pro hac vice* before the Commission in the above-referenced matter.

Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Hurlbut, together with the undersigned counsel of record, have filed an application for admissions *pro hac vice* with the Supreme Court of South Carolina. Exhibit A to this Motion is a file-stamped copy of that application, along with a Certificate of Service indicating that the application and the \$250 filing fee have been filed with the Supreme Court.

Respectfully submitted, this 11th day of November, 2009.

Respectfully submitted,

November 11, 2009

  
\_\_\_\_\_  
Burnet R. Maybank, III, Esquire  
Nexsen Pruet, LLC  
P.O. Drawer 2426  
Columbia, SC 29202  
Telephone No. (803) 540.2048  
Email: [bmaybank@nexsenpruet.com](mailto:bmaybank@nexsenpruet.com)

STATE OF SOUTH CAROLINA

)

CERTIFICATE OF SERVICE

COUNTY OF RICHLAND

)

The undersigned, Shirley J. Neal, hereby certifies that she is employed by the law firm of Nexsen Pruet, LLC and that she had caused Windstream's Motion for Admission *Pro Hac Vice* of Bruce Hurlbut in Docket No. 2009-326-C to be served upon the following this November 12th, 2009.

J. Phillip Carver, Counsel  
AT&T  
675 West Peachtree St., NE  
Atlanta, GA, 30375

Patrick W. Turner, Counsel  
BellSouth Telecommunications, Incorporated d/b/a AT&T South Carolina  
1600 Williams Street, Suite 5200  
PO Box 752  
Columbia, SC, 29202  
[pt1285@att.com](mailto:pt1285@att.com)

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Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, SC, 29205  
[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)

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Nanette S. Edwards, Counsel  
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[nsedwar@regstaff.sc.gov](mailto:nsedwar@regstaff.sc.gov)

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Richardson Plowden and Robinson, P.A.  
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[shamm@richardsonplowden.com](mailto:shamm@richardsonplowden.com)

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Frank R. Ellerbe, III, Counsel  
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Columbia, SC, 29202  
[fellerbe@robinsonlaw.com](mailto:fellerbe@robinsonlaw.com)

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Suite 2200  
Atlanta, GA, 30303  
[Bill.Atkinson@sprint.com](mailto:Bill.Atkinson@sprint.com)

Susan S. Masterton, Counsel  
United Telephone Company of the Carolinas d/b/a Embarq  
1313 Blair Stone Road  
Tallahassee, FL, 32301  
[susan.masterton@embarq.com](mailto:susan.masterton@embarq.com)

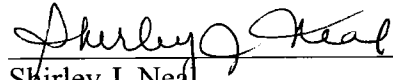
Zel Gilbert, Director External Affairs  
United Telephone Company of the Carolinas d/b/a Embarq  
Embarq Corporation  
1122 Lady Street, Suite 1050  
Columbia, SC, 29201  
[zel.gilbert@embarq.com](mailto:zel.gilbert@embarq.com)

Stan Bugner, State Director  
Verizon South, Incorporated

1301 Gervais Street, Suite 825  
Columbia, SC, 29201  
[stan.bugner@verizon.com](mailto:stan.bugner@verizon.com)

Benjamin P. Mustian, Counsel  
Willoughby & Hoefer, P.A.  
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[bmustian@willoughbyhoefer.com](mailto:bmustian@willoughbyhoefer.com)

John M.S. Hoefer , Counsel  
Willoughby & Hoefer, P.A.  
Post Office Box 8416  
Columbia, SC, 29202-8416  
[jhoefer@willoughbyhoefer.com](mailto:jhoefer@willoughbyhoefer.com)

  
\_\_\_\_\_  
Shirley J. Neal

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

**RECEIVED**  
NOV 12 2009  
S.C. SUPREME COURT

Docket No. 2009-326-C

<b>In Re:</b>	)	
	)	
<b>STATE UNIVERSAL SERVICE SUPPORT OF BASIC LOCAL SERVICE INCLUDED IN A BUNDLED SERVICE OFFERING OR CONTRACT OFFERING</b>	)	<b>Docket No. 2009-326-C</b>
	)	
	)	
	)	

Comes now Bruce Hurlbut, applicant herein, and respectfully represents the following:

1. Applicant is employed as Regulatory Counsel for Windstream Communications, Inc. ("Windstream), 4001 Rodney Parham, Little Rock, Arkansas 72212, Telephone Number 501-748-6942, Fax Number 501-748-5589, Email [bruce.hurlbut@windstream.com](mailto:bruce.hurlbut@windstream.com).

2. Applicant has been retained personally to provide legal representation in connection with the above case now pending before the Public Service Commission of South Carolina.

3. Since March 1991 applicant has been, and presently is, a member in good standing of the bar of the State of Arkansas. Attached is a certificate of good standing.

4. Applicant has been admitted to practice before the United States District Court, Eastern and Western Districts of Arkansas since May 1991, and before the Eighth Circuit Court of Appeals since May 1991.

5. Applicant presently is not subject to any suspension or disbarment proceedings and has not been formally notified of any complaints pending before a

disciplinary agency.

6. Applicant never has had any application for *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked.

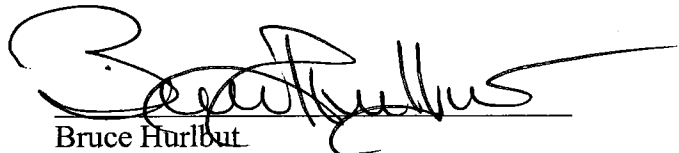
7. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked.

8. Local counsel of record associated with applicant in this case is Burnet R. Maybank, III, of Nexsen Pruet, LLC, 1230 Main Street, Suite 700, Richland County, Columbia, South Carolina 29201, Telephone Number (803) 540-2048.

9. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with, and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

10. Applicant respectfully requests to be admitted to practice in the above-named court for this case only.

DATED this 10 day of November, 2009.

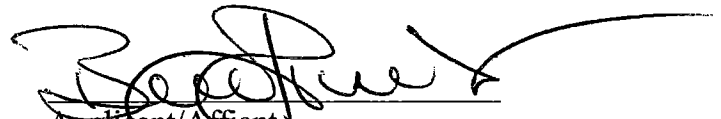
  
Bruce Hurlbut



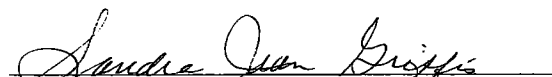
STATE OF ARKANSAS                    )  
  )  
COUNTY OF PULASKI                )

**VERIFICATION**

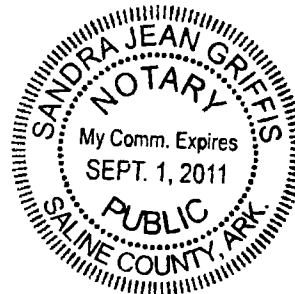
I, Bruce Hurlbut, do hereby swear or affirm under penalty or perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters, I believe them to be true.

  
Applicant/Affiant

Subscribed and sworn to before me this 10 day of November, 2009.


  
Notary Public for the State of Arkansas

My commission expires: Sept. 1, 2011



### **CERTIFICATE OF SERVICE**

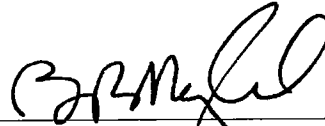
I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by **hand delivery** mail addressed to: South Carolina Supreme Court Office of Bar Admissions, P.O. Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 12th day of November, 2008.

  
\_\_\_\_\_  
Shirley J. Neal

### **LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this case pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 10th day of November, 2009.

A handwritten signature in black ink, appearing to read "Burnet R. Maybank, III", written over a horizontal line.

Burnet R. Maybank, III  
Local Counsel of Record

*Supreme Court*  
***State of Arkansas***  
*Little Rock*

**CERTIFICATE OF GOOD STANDING**

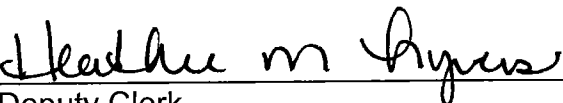
State of Arkansas

in the Supreme Court

I, Leslie W. Steen, Clerk of the Supreme Court of Arkansas, do hereby certify that Bruce P. Hurlbut was enrolled as an Attorney at Law and Solicitor in Chancery by the Supreme Court of this State on March 29, 1991; that no disbarment proceedings have been filed against him in this court, that he has not had any adverse disciplinary action whatsoever during the past three year period, and that his private and professional character appear to be good.

In Testimony Whereof, I hereunto  
set my hand as Clerk and affix the seal of Said Court  
this 11th day of November, 2009.

LESLIE W. STEEN  
(CLERK SUPREME COURT OF ARKANSAS)

By   
Deputy Clerk

**Burnet R. Maybank, III**  
Member  
Admitted in SC

November 12, 2009

**HAND DELIVERED**

Ms. Gail Watts  
Deputy Clerk of Admissions  
South Carolina Supreme Court of Bar Admissions  
P.O. Box 11330  
1231 Gervais Street  
Columbia, South Carolina 29211

**Re: Docket Number 2009-326-C – State Universal Service Support of Basic  
Local Service Included in a Bundled Service Offering or Contract  
Offering**

Dear Ms. Watts:

Pursuant to Rule 404 of the S.C.A.C.R., enclosed for filing please find an original and one copy of the Application for Admission *Pro Hac Vice* of Bruce Hurlbut in the above-referenced matter with the requested filing fee of \$250.00.

If you have any questions or need any additional information, please do not hesitate to contact me. Once the copy has been clocked-in, please call Shirley Neal at 540-2098 and she will be happy to send a courier to pick it up and have it delivered to the PSC.

Very truly yours,



Burnet R. Maybank, III *Br*

BRM/sjn

Enclosures

cc: Nanette S. Edwards, Esq. (Letter only Via E-Mail)  
All Parties of Record